

Thousands of children are alive and safe today because a principal or a teacher or some other caring adult at school was sensitive to a particular child's behavior, was willing to observe and to listen, and then acted on that information by filing a report.

Reporting – by itself – does not guarantee that a child will be protected from continued abuse, but the failure to report adds yet another layer of bitterness and betrayal to the suffering of an already betrayed child - National Association of Elementary School Principals (Vol.9 Number 9 June, 1991.)

If you are uncertain whether to report or to whom you should report suspected child abuse or neglect, call the 7 days a week/24 hours a day Child Abuse Hotline at 1-866-820-5437.

For further information about Child and Family Services Division programs, please refer to the Montana Department of Public Health and Human Services, Child and Family Services Division (MT DPHHS, CFSD) website at: <http://www.dphhs.mt.gov/cfsd>.

For more detailed information, see the Montana School Guidelines for the Identification and Reporting of Child Abuse and Neglect 2012-2013.

Keeping Children Safe and Families Strong

We encourage our communities to strengthen their prevention efforts and to share responsibility for the safety of its children and families.

CENTRALIZED INTAKE 'S NUMBER TO
REPORT CHILD ABUSE AND NEGLECT
24 HOUR TOLL FREE NUMBER

1-866-820-5437

The Montana Department of Public Health and Human Services (DPHHS) does not discriminate on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin. If you believe you have been subjected to discrimination contact the DPHHS Human Resources Division at (406) 444-3136 or the Montana Human Rights Bureau at 1-(800)-542-0807, or relay service at 711.

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CHILD & FAMILY SERVICES DIVISION

How Would I Know When and How to Report Child Abuse and Neglect?



The Schools' Guide to Reporting Child Abuse and Neglect

WHAT YOU NEED TO KNOW

MONTANA SCHOOLS GUIDELINES

What can I do to help?

Montana's child abuse and neglect mandatory reporting laws apply equally to administrators, aides, bus drivers, counselors, custodians, food service workers, librarians, nurses, secretaries, teachers, and any other school personnel who work during the regular school hours. Child abuse and neglect must be reported before a child can be protected and services offered to the family.

In an article for the Education Commission of the States, C.D. Jones and Phil Fox describe the school system as the "most comprehensive social resource for the total growth of a child." Educators and other school employees are in a unique position to help abused and neglected children, their families, child protective service workers, and the community in overcoming the effects of child abuse and neglect. Moreover, since schools are one place where children are seen on a daily basis over an extended period of time, school staff have an opportunity to compare and contrast unusual behaviors.

Abused or neglected children are often among the most difficult to reach in the classroom. They frequently learn the least while demanding a considerable share of our educational resources. If we can break the cycle of abuse, we can have a more teachable student in our classrooms and a more productive individual in our society.

Reporting Procedures: What if a child tells you...

There may be a time when a child tells you, openly or indirectly, about abuse or neglect in his or her family. Recognize the strength the child has demonstrated by sharing this, and honor the trust shown by choosing you as a confidant. Report a concern as early as possible in the school day and preferably before the child leaves for home.

MCA 41-3-201 — When professionals know or have reasonable cause to suspect, as a result of information they receive in their professional or official capacity, that a child is abused or neglected by anyone regardless of whether the person suspected of causing the abuse or neglect is a parent or other person responsible for the child's welfare, they shall report the matter promptly.

MONTANA DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES, CHILD AND FAMILY SERVICES DIVISION AT 1-866-820-5437

INFORMATION REQUIRED OF THE REPORTER:

- A) The names and addresses of the child and his or her parent or persons responsible for his or her care.
- B) To the extent known, the child's age, the nature and extent of the child's injuries, including any evidence of previous injuries;
- C) Any other information the reporter believes might be helpful in establishing the cause of the injuries or showing the willful neglect and the identity of the person or persons responsible; and
- D) The facts that led the person reporting to believe that the child has suffered injury or injuries or willful neglect.

Centralized Intake Specialists will tell the reporter if the report will be investigated or if the report does not meet the legal definition of abuse or neglect.

Montana laws pertaining to reporting and investigating child abuse and neglect are found in Title 41, Chapter 3 Part 2, MCA. This law provides that all records concerning the reporting of child abuse or neglect are confidential and grants immunity from any liability, civil or criminal, that might otherwise be incurred or imposed, unless the person acted in bad faith or with malicious purpose.

Investigation: Child and Family Services Division is responsible for the investigation of abuse or neglect caused by a parent or legal guardian responsible for the child's welfare. Law enforcement is responsible for the investigation of all other abuse and neglect cases.

**HOWEVER report all concerns to the Child Abuse Hotline (24 hour Toll Free Number) at
1-866-820-5437.**

A Child Protection Specialist, (CPS) county attorney, or police officer may interview a student at school as part of a child abuse and neglect investigation without prior parental permission (Section 41-3-202, MCA.) There may be a situation, particularly with very young children, when a CPS worker will invite a teacher or counselor to be present during the interview if this would help a child feel comfortable. Questions from school staff regarding their involvement in this process should be discussed with the CPS worker prior to the interview.

Support for children and their families:

Child and Family Services Division recommends that individuals call their local Child and Family Services office for recommendations on resources to address specific concerns about child abuse and neglect. Developing communication and rapport with your local office will be beneficial for children with protective service needs in the future.

After the reporting of abuse or neglect, children's lives may be filled with stress, leaving children unsure about trusting the consistency promised by anyone with whom they may be involved.

Sensitivity to the need of children for consistency is vital. To alleviate stress, school personnel should provide support, caring, consistency, and stability to these children.

Children who know their case is coming to court often feel agitated, anxious and insecure. Separations from parents, no matter how abusive or neglectful the parent, has a profound impact on children. When appropriate and possible, CFSD will attempt to place children in the same school system to provide some consistency.

If children are placed in foster or kinship care, the CFSD works diligently to keep the child in the same school system.